

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEVIN SMITH, JR.,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C16-0500-RSM

REPORT AND RECOMMENDATION

Plaintiff filed a motion to proceed *in forma pauperis* (IFP). (Dkt. 1.) However, he answered only one question on the IFP form, and did not provide any information required by the Court to determine eligibility for IFP status. By Minute Order dated April 14, 2016, the Court granted plaintiff twenty days to submit a completed IFP application. (Dkt. 2.) The Court noted that failure to comply may result in denial of the IFP application and/or dismissal of this matter.

To date, the Court has not received a response to its Minute Order or a completed IFP application from plaintiff. Accordingly, the Court recommends that plaintiff's motion to proceed IFP (Dkt. 1) be DENIED. This action should proceed only if plaintiff pays the \$400.00 filing fee

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1 within **thirty (30) days** after entry of the Court's Order adopting this Report and
2 Recommendation. If no filing fee is paid within thirty days of the Court's Order, the Clerk
3 should close the file.

4 DEADLINE FOR OBJECTIONS

5 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
6 served upon all parties to this suit within **fourteen (14) days** of the date on which this Report and
7 Recommendation is signed. Failure to file objections within the specified time may affect your
8 right to appeal. Objections should be noted for consideration on the District Judge's motions
9 calendar for the third Friday after they are filed. Responses to objections may be filed within
10 **fourteen (14) days** after service of objections. If no timely objections are filed, the matter will
11 be ready for consideration by the District Judge on **June 3, 2016**.

12 DATED this 19th day of May, 2016.

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14 Mary Alice Theiler
15 United States Magistrate Judge
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